

EW 1764

PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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Application Number

09/869,987

Filing Date

01/14/2000

First Named Inventor

Richard A. Demmin et al.

Art Unit

1764

Examiner Name

James Arnold, Jr.

Attorney Docket Number

JHT-0002 (P1997J057D)

### ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Communication requesting entry of previously filed RCE and withdrawal of Notice of Abandonment

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

ExxonMobil Research and Engineering Company

Signature

*Gerard J. Hughes*

Printed name

Gerard J. Hughes

Date

4/13/2005

Reg. No.

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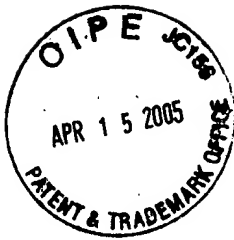
Shannon J. Maiocchi

Date

04/13/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*PATENT*

Attorney's Docket No. JHT-0002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Richard A. Demmin et al.**

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§  
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§

Examiner: James Arnold, Jr.

Serial No.: 09/869,987

Group Art Unit: 1764

Filed: **January 14, 2000**

Titled: **HYDROFINING PROCESS USING BULK  
GROUP VIII/GROUP VIB CATALYSTS**

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**The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**COMMUNICATION**

Sir:

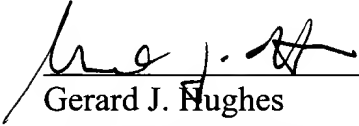
Applicants have received a Notice of Abandonment dated January 31, 2005 due to a failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance, dated June 25, 2004. Applicants filed a Request for Continued Examination (RCE) on September 22, 2004, which included a Form 1449, but this RCE was not entered.

Applicants respectfully request entry of the Request for Continued Examination filed on September 22, 2004 and withdrawal of the Notice of Abandonment. Copies of the RCE are submitted herewith.

Serial No.: 09/869,987  
Communication dated: April 13, 2005  
Reply to Office Action of: January 31, 2005  
Atty. Docket No.: JHT-0002 (P1997J057D)

Respectfully submitted,

Date: 13 April 2005

  
Gerard J. Hughes  
Attorney for Applicants  
Reg. No. 41,855  
Tel. No. (225) 977-4942

*(Address to which correspondence is to be sent)*

ExxonMobil Research and Engineering Company  
P.O. Box 900  
Annandale, NJ 08801-0900

# Auto-Reply Facsimile Transmission



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PTO/S&PO/DE-001 Approved for use through 10/11/2004. CUS 085-0011 U.S. Patent and Trademark Office, U.S. Department of Commerce Official Use Only: This document is not to be used for any other purpose without the express written permission of the U.S. Patent and Trademark Office.													
<p style="text-align: center;"><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p style="text-align: center; font-size: x-small;">                     Submission fee of 35 U.S.C. § 428, effective on May 25, 2000,                      provides for continued examination of an utility or plant application                      filed on or after June 8, 1995.                      See The American Inventors Protection Act of 1999 (AIPA).                 </p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: x-small;">Application Number</td> <td>09/867,987</td> </tr> <tr> <td style="font-size: x-small;">Filing Date</td> <td>1/14/2000</td> </tr> <tr> <td style="font-size: x-small;">First Named Inventor</td> <td>R.A. Derriman, et al.</td> </tr> <tr> <td style="font-size: x-small;">Group Art Unit</td> <td>1764</td> </tr> <tr> <td style="font-size: x-small;">Examiner Name</td> <td>James Arnold, Jr.</td> </tr> <tr> <td style="font-size: x-small;">Attorney Docket Number</td> <td>JHT-0002</td> </tr> </table>	Application Number	09/867,987	Filing Date	1/14/2000	First Named Inventor	R.A. Derriman, et al.	Group Art Unit	1764	Examiner Name	James Arnold, Jr.	Attorney Docket Number	JHT-0002
Application Number	09/867,987												
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First Named Inventor	R.A. Derriman, et al.												
Group Art Unit	1764												
Examiner Name	James Arnold, Jr.												
Attorney Docket Number	JHT-0002												
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. <b>NOTE:</b> 37 C.F.R. § 1.114 is effective on May 28, 2003. If the above-identified application was filed prior to May 28, 2003, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/S&PO/20) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Classification and Prosecution Procedures (Pat. Rules, 63 Fed. Reg. 80682 (Aug. 18, 2000); Initial Rule, 63 Fed. Reg. 14852 (Mar. 30, 2000), 1338 Off. Gaz. Pat. Office 47 (Apr. 17, 2000), which establishes RCE practice.													
<p><b>1. Submission required under 37 C.F.R. § 1.114</b></p> <p>a. <input type="checkbox"/> Previously submitted</p> <p style="margin-left: 20px;">i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____                      (Any amended amendment(s) referred to above will be entered)</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p style="margin-left: 20px;">iii. <input type="checkbox"/> Other _____</p> <p>b. <input checked="" type="checkbox"/> Enclosed</p> <p style="margin-left: 20px;">i. <input type="checkbox"/> Amendment/Reply</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p style="margin-left: 20px;">iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)</p> <p style="margin-left: 20px;">iv. <input type="checkbox"/> Other _____</p>													
<p><b>2. Miscellaneous</b></p> <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.170 required)</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> Other _____</p>													
<p><b>3. Fees</b> The RCE fee under 37 C.F.R. § 1.170(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.</p> <p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>65-1330</u></p> <p style="margin-left: 20px;">i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.170(e)</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.139 and 1.17)</p> <p style="margin-left: 20px;">iii. <input checked="" type="checkbox"/> Other <u>Any additional fees required.</u></p> <p>b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed</p> <p>c. <input type="checkbox"/> Payment by credit card (Form PTO-439 required)</p>													
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED													
Name (Print/Type) <u>Jeremy J. Klieben</u> Signature <u>[Signature]</u>	Registration No. (Attorney/Agent) <u>48,227</u> Date <u>September 22, 2004</u>												
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Name (Print/Type) <u>Shannon J. Malacchi</u> Signature <u>[Signature]</u>	Date <u>September 22, 2004</u>												
Before Your Claimant, this form is submitted to take 27 hours to complete. It is not valid depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. (201) 590-5265. 256 OF COMPLETED FORMS TO THIS ADDRESS. 22ND FEE AND GUIDELINES 7. Also to the telephone 400-486-1011, fax 400-486-1450, Alexandria, VA 22304-1450.													
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